

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

International Application Number	International Filing Date	Priority Date Claimed
PCT/EP04/02254	03/05/2004	04/03/2003
U.S. Serial Number	Applicant(s) for DO/US	
10/551,268	Toshimi Matsumoto, et al.	
Title of Invention		
Cement Additive		
Docket No. MBJ-0525		

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Linda K. Foster  
(type or print name of person signing paper)

Linda K. Foster  
(signature of person mailing paper)

June 13, 2006  
(date)

**STATEMENT BY ATTORNEY THAT PAPERS ATTACHED TO DECLARATION  
ARE A COPY OF THOSE FILED IN USPTO TO GET A FILING DATE**

I, Joseph G. Curatolo  
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state I am the attorney for this application and that I have reviewed the

9 pages of preliminary amendment

as shown in my files to be papers I filed in respect to the above-identified application and have compared them to the papers attached to the declaration(s) of

Toshimi Matsumoto  
Sven Asmus  
Gerhard Albrecht  
Klaus Lorenz  
Petra Wagner  
Christian Scholz

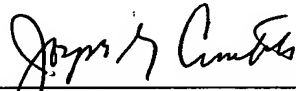
for Cement Additive

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that accompany this statement, and I declare that these papers attached to the declaration(s) are a copy of the specification as filed and any amendment thereto that I filed in the USPTO in order to obtain a filing date for this application by:

- ☐ depositing by hand at the USPTO
- ☐ mailing to the USPTO
- ☒ mailing to the USPTO by Express Mail bearing Mailing Label Number EV698629899US on 03/05/2004.

Respectfully submitted,



\_\_\_\_\_  
Joseph G. Curatolo, Esq. (Reg. No. 28,837)

Date June 13, 2006

## DECLARATION AND POWER OF ATTORNEY

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### Cement Additive

including any amendments referred to below, the specification of which

\_\_\_\_\_ is attached hereto;

X was described and claimed in PCT International Application No. PCT/EP2004/002254 filed on March 5, 2004; and

X which is amended by preliminary amendment, attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

### Priority Claimed

<u>PCT/EP2004/002254</u>	<u>PCT</u>	<u>03/05/2004</u>	<u>X</u>	<u>                    </u>
Number	Country	Date Filed	Yes	No
<u>JP 2003-100709</u>	<u>Japan</u>	<u>04/03/2003</u>	<u>X</u>	<u>                    </u>
Number	Country	Date Filed	Yes	No

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:**

As named inventors, we hereby appoint the practitioners of **Customer No. 23575** as our attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

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